

Administration Building  
Council Chambers  
308 Fountain Circle  
February 16, 2016  
6:00 p.m.

## **BOARD OF ZONING ADJUSTMENT**

### **Members Present:**

Mr. Martin Sisson – Chairman  
Mr. Bert Peake – Vice Chairman  
Mr. Fred Coffey  
Dr. David Branham  
Ms. Kimberly Ford - Supernumerary  
Mr. Johnny Ozier – Supernumerary

### **Others Present:**

Mr. Jim McGuffey, City of Huntsville Planning Services  
Mr. Travis Cummings, City of Huntsville Zoning Administration  
Ms. Debra S. Hindman, City of Huntsville Zoning Administration  
Mrs. Jon Johnson, City of Huntsville Zoning Administration, Recording Secretary  
Sergeant Jonathan Ware, Huntsville Police Department  
Captain Jeffrey Rice, Huntsville Police Department

The regular meeting of the Board of Zoning Adjustment was called to order by Chairman Sisson at the time and place noted above.

Chairman Sisson explained the procedures of the Board of Zoning Adjustment to those present, advising that any decision made by the Board may be appealed to Circuit Court within 15 days from this date and that any variance or special exception requires four affirmative votes as set by State law. Any variance or special exception granted must be exercised within six months by obtaining the proper permit. Also, if the Board denies a request, the appellant would have to wait six months before reapplying for a variance unless there was a significant change in the appellant's request.

Chairman Sisson then called the extensions on the agenda.

**Case No. 8208-4**      **304 Eustis Avenue;** A special exception to allow a farmers market in a Residence 2B Zoning District; Reverend Andy Anderson of The Episcopal Church in the Diocese of Alabama, appellant. Mr. Cummings stated the location of the property and said the request will require a special exception to allow a farmers market in a Residence 2B Zoning District.

Ms. Marilyn Evans appeared before the Board. Ms. Evans stated that the Greene Street farmers

market would like to operate again this year at the same place and same time. Ms. Evans stated that this is the fifth year that they have held the Greene Street farmers market at this location. Ms. Hindman asked Ms. Evans to state the months, dates, and times for the Board. Ms. Evans stated the market operates each Thursday, for the months of May to October. Ms. Evans stated that the hours of operation will be from 4:00 p.m. to 8:00 p.m., from May through August, from 4:00 p.m. to 7:00 p.m. for the month of September, and from 3:00 p.m. to 6:00 p.m. for the month of October. Chairman Sisson asked if there are any changes from previous years. Ms. Evans stated there are no changes in the operation of the farmers market. Chairman Sisson asked if there were any changes from the City's point of view. Ms. Hindman stated there are no changes. Ms. Hindman stated that the appellant would like for the farmers market be considered permanent since they intend to operate the same months, dates, and times as they have in past years. Chairman Sisson asked if the City had any issues with the farmers market operating without having to return to the Board on a yearly basis. Ms. Hindman stated the City has no issues so long as the farmers market continues to operate as it has in the past. Ms. Hindman stated that the appellant will come back before the Board should they alter the date, times, and hours of operation of the farmers market.

A motion was made by Mr. Coffey and seconded by Chairman Sisson to approve a special exception to allow a farmers market in a Residence 2B Zoning District at 304 Eustis Avenue to operate each Thursday, for the months of May to October, from 4:00 p.m. to 8:00 p.m. from May through August, from 4:00 p.m. to 7:00 p.m. for the month of September, and from 3:00 p.m. to 6:00 p.m. for the month of October, with the stipulation that if the months, dates, and hours of operation were to change in future years, the special exception request must be reheard by the Board. **Approved unanimously.**

**Case No. 8514-1**      **12200 Bailey Cove Road;** A special exception to allow a farmers market in a Residence 1A Zoning District; Sharon Drachlis of The Protestant Episcopal Church in the Diocese of Alabama, appellant. Mr. Cummings stated the location of the property and said the request will require a special exception to allow a farmers market in a Residence 1A Zoning District.

Ms. Sharon Drachlis appeared before the Board. Ms. Drachlis stated they would like to once again have a farmers market at this location. Ms. Drachlis stated that this is the fourth year that they have operated the farmers market at this location. Mrs. Drachlis stated the market is open on Saturday mornings for the months of May through September, from 8:00 a.m. to 12:00 p.m. Vice Chairman Peake asked if she operates the farmers market at the same time every year and if there were any issues. Ms. Drachlis stated the farmers market occurs at the same months, date, and time every year and they have never had any issues. Chairman Sisson asked if the appellant requests to have the special exception approved on a permanent basis. Ms. Drachlis stated that she would like for the special exception to be permanent. Ms. Drachlis stated that if there are any changes to the months, date, and times of operation, she will gladly come back before the Board. Chairman Sisson asked if the City has any issues or comments. Mr. McGuffey stated the City has no issues.

A motion was made by Vice Chairman Peake and seconded by Chairman Sisson to approve a special exception to allow a farmers market in a Residence 1A Zoning District at 12200 Bailey Cove Road to operate each Saturday for the months of May through September, from 8:00 a.m. to 12:00 p.m., with the stipulation that if the dates and hours of operation were to change in future years, the special exception request must be reheard by the Board. **Approved unanimously.**

**Case No. 8637**      **1504 Humes Ave;** The location of a structure; Michele S. Biletski of American Dream Properties, Inc., a Nevada Corporation, appellant.

A motion was made by Chairman Sisson and seconded by Vice Chairman Peake to continue the variance request for 30 days. **Approved unanimously.**

**Case No. 8638**      **706 Windham Street;** The creation of a non-conforming lot to include lot area and the location of a structure; Michele S. Biletski of American Dream Properties, Inc., a Nevada Corporation, appellant.

A motion was made by Chairman Sisson and seconded by Vice Chairman Peake to continue the variance request for 30 days. **Approved unanimously.**

Chairman Sisson then called the regular agenda items.

**Case No. 8640**      **5901 University Drive;** A special exception to allow a carnival in a Highway Business C4 Zoning District; Jessica Partington Madison Square Associates, Ltd. appellant. Mr. Cummings stated the location of the property and said the request will require a special exception for a carnival in a Highway Business C4 Zoning District.

Ms. Jessica Partington, Ms. Madison Kissel, and Ms. Samantha Bone appeared before the Board. Ms. Partington stated that the carnival will be located between the former Belk building respectively, near the Buffalo Wild Wings area. Ms. Bone stated that this is the fourth annual request for holding a carnival at this location. Mr. Coffey asked if there had been any changes. Ms. Bone stated that no changes have been made. Ms. Bone stated that the carnival will operate from March 29, 2016, through April 3, 2016, with the hours of operation being from 5:00 p.m. to 10:00 p.m., Tuesday through Friday, 2:00 p.m. to 11:00 p.m. on Saturday, and 2:00 p.m. to 8:00 p.m. on Sunday. Chairman Sisson asked if the carnival will operate in the parking lot of the Madison Square Mall. Ms. Bone confirmed that the carnival will operate in the parking lot of the Madison Square Mall. Chairman Sisson asked if the City has any issues. Mr. McGuffey stated that the City has no issues with this request.

A motion was made by Dr. Branham and seconded by Mr. Coffey to approve a special exception to allow a carnival in a Highway Business C4 Zoning District at 5901 University Drive to operate from March 29, 2016, through April 3, 2016, from 5:00 p.m. to 10:00 p.m., Tuesday through Friday, 2:00 p.m. to 11:00 p.m. on Saturday, and 2:00 p.m. to 8:00 p.m. on Sunday. **Approved unanimously.**

**Case No. 8641**      **103 Yeager Court;** PVA perimeter landscaping; Tony Hoover of HP Properties, LLC appellant. Mr. Cummings stated the location of the property and said the request will require a reduction of the required plant material. Mr. Cummings stated that according to Article 71.4.2 (3) of the Zoning Ordinance, perimeter landscaping shall include at least an average of 1 tree and 6 shrubs per full 50 linear feet of the perimeter. Mr. Cummings stated that a total of 9 trees and 54 shrubs would be required for this property.

Mr. Hoover appeared before the Board. Mr. Hoover stated that he has constructed a building for administrative offices and warehousing. Mr. Hoover stated that his plans were approved and a building permit was acquired; however, when his property was inspected by the Inspection Department, it was determined that the required plant material had not been installed around the perimeter of the property. Mr. Hoover said to the PVA area to the right of property is the main area in question. Mr. Hoover stated that he is unable to add the required plant material specifically in this area as additional parking is needed with the hiring of more employees.

Mr. Coffey inquired as to what has changed since acquiring building permit. Mr. Hoover said he didn't realize the limited area to install the landscaping once they fenced in the property. Mr. Coffey inquired as to why the building permit was issued. Mr. McGuffey stated the appellant provided a compliant landscape plan; however, the installation was not compliant with what was previously approved on the plans. Chairman Sisson inquired about PVA lighting. Mr. McGuffey stated that in regards to the lighting plan, the City will only make the appellant install PVA lighting to the front of property as opposed to the rear where the area is fenced off from the public.

Chairman Sisson inquired about the operation of the company. Mr. Hoover said they are general contractors that do repairs and insurance claims. Chairman Sisson inquired as to what is purpose of the new buildings. Mr. Hoover stated that the building serves as the central office for administrative duties. Mr. Hoover stated that they provide administrative assistance for all the offices in Dothan, Birmingham, Montgomery, and all of west Alabama. Mr. Hoover stated that the building also has an area for warehousing.

Mr. Coffey asked that of the required 9 trees and 54 shrubs, what the appellant would be able to provide. Mr. Hoover stated that his intent was to leave the perimeter landscaping as is; however, there is room to install some landscaping outside the fence area if required. Chairman Sisson stated that after reviewing the plans of the site, there are areas in which the appellant can provided some if not all of the required plant material. Mr. Coffey stated that while he does not believe that the appellant is intentionally trying to avoid compliance, the intent of the Zoning Ordinance is to require that PVA lighting and landscaping be upgraded when new construction takes place on existing properties. Chairman Sisson stated that the appellant should consider working with City staff and possibly revising his plan to determine the areas in which landscaping can be installed. Mr. McGuffey stated that the appellant has acquired a landscape bond while pursuing the variance request. Mr. Coffey stated that he would like to continue the variance request for 30 days to allow the appellant the opportunity to provide a revised

landscaping plan that could possibly meet the required plant material in the available areas on the property.

A motion was made by Chairman Sisson and seconded by Mr. Ozier to continue the variance request at 103 Yeager Court for 30 days to allow the appellant to obtain a landscaping plan and possibly provide the required plant material in available areas on the property. **Approved unanimously.**

**Case No. 8642**      **365 The Bridge Street;** Additional square footage for business center signage; Andrew Wilson of IMI Huntsville Land, LLC, appellant. Mr. Cummings stated the location of the property and said the request will require a variance for two business center signs to exceed the maximum square footage allowed for each sign by 108 square feet. Mr. Cummings stated that each business center sign will measure 368 square feet. Mr. Cummings stated that in a Research Park Commercial Zoning District, a maximum of two, two sided entry pylon signs of a size not to exceed 130 square feet each are permitted.

Mr. David Brandt, Mrs. Debbie Lamont, and Mr. Van Geroux appeared before the Board. Mr. Brandt is proposing to remove each business center signs at the west and east entrances along Old Madison Pike that advertise The Bridge Street Town Centre. Mr. Brandt stated that opposed to having the four business center signs which is permitted at these entrances, he would like to replace them with two business center signs that are larger in square footage. Mr. Cummings stated that the Board should be aware that because the appellant has agreed to waive the additional business center sign at each entrance, the sign enforcement officer will allow one business center sign at each entrance that measures 260 square feet as this is the total square footage permitted for two business center signs at each entrance.

Mr. Brandt stated that the proposed signs are double-faced business center signs advertising the key tenants. Mr. Coffey asked if both business center signs will be identical in size. Mr. Brandt confirmed that the signs will be the same size, but with different tenants listed on each side. Mr. Coffey inquired about the square footage of each sign. Mr. Brandt stated that each business center sign will be 23 feet by 16 feet which is a total of 368 square feet. Chairman Sisson inquired as to the size of each existing business center signs. Mr. Brandt stated that the signs are 130 square feet each. Dr. Branham inquired about the height of each of the existing signs. Mr. Brandt stated he is unaware as to the height of the existing signs. Chairman Sisson asked if the sign measurements include the column and planter to the right of the sign lettering. Mr. McGuffey stated that the column and planter will not be calculated towards the total square footage of the signs; the column and planter are considered architectural features. Chairman Sisson asked if the signs are internally lighted. Mr. Brandt confirmed that the signs will be lighted.

Mr. Coffey asked if there have been other variances of this nature granted in this area. Mr. Cummings stated that in speaking with the sign enforcement officer, this request is the similar in nature to the sign that was recently approved for a variance for additional square footage at Cabela's. Chairman Sisson inquired about the height of the Cabela's sign. Mr. McGuffey stated

that the Cabela's sign is 16 feet tall. Chairman Sisson stated that the requested business center signs are over 20 feet in height. Chairman Sisson stated he believes the proposed signs are excessive in height. Mr. Coffey asked if the appellant has any intentions of returning for additional sign variances in the future. Mr. Brandt stated he didn't foresee any additional signage being needed. Ms. Lamont stated if they were to develop in the future they would have room for growth in regards to signage. Chairman Sisson asked if the sign enforcement officer had any issues with the appellant's request. Mr. Cummings stated that because the appellant is offering to only have two business center signs, the sign enforcement officer is unopposed to the request as he believes it will look less cluttered at the entrances. Mr. Coffey stated that if a motion is made, he requests that the Board stipulate that the appellant forego any additional entry pylon signs along Old Madison Pike. Dr. Branham stated that Bridge Street Town Centre has been in operation for years and have not included signage displaying tenants within the shopping center. Mr. Brandt stated that because Bridge Street is such a large development, it is beneficial to shoppers to identify the anchor tenants for wayfinding purposes. Chairman Sisson stated that he is not opposed to the character size for the tenant spaces, but he believes the size of the signs can be smaller. Chairman Sisson further stated that he likes the design of the signs; however, they are excessive in size and height. Vice Chairman Peake stated that he agrees the size of the signs can be lessened from 23 feet by 16 feet. Vice Chairman Peake stated that he is not opposed to varying the signs to allow each to be 260 square feet. Vice Chairman Peake stated that he believes that this will allow for approximately the same proportions for the lettering, but would require a reduction of the overall face of the sign. Mr. Brandt stated that he appreciates the Board's willingness to work with him in regards to the variance request. Chairman Sisson inquired about the size of the Cabela's sign. Mr. McGuffey stated that Cabela's received a variance for an additional 130 square feet for their entry pylon sign. Mr. McGuffey stated that Cabela's also eliminated the second entry pylon sign and received a variance to have one sign at 260 square feet. Chairman Sisson stated that if these signs are varied, he would like to have a stipulation that requires the signs to maintain similar proportions as the presented signs, but will less mass. Mr. Brandt stated that he will work with Mr. McGuffey and the sign enforcement officer to ensure that the proportions will be similar to those submitted for the previously presented signs. Mr. Coffey asked if the signage has to be reviewed by the Research Park Committee. Mr. McGuffey stated that the signs do not have to be reviewed by the Committee.

A motion was made by Chairman Sisson and seconded by Vice Chairman Peake to approve a variance at 365 The Bridge Street to allow 2 entry pylon signs measuring 260 square feet each with the stipulations that the signs be proportional in height to the presented entry pylon signs and that there only be the 2 entry pylon signs located along Old Madison Pike. **Approved unanimously.**

**Case No. 8643**      **204 Surrey Road;** The location of a structure; Blake Mullins for Justin G. South, appellant. Mr. Cummings stated the location of the property and said the request will require a 6 foot front yard setback variance and a 6 foot rear yard setback variance. Mr. Cummings stated that in a Residence 1B Zoning District, a 30 foot front yard setback is required and a 35 foot rear yard setback is required.

Mr. Blake Mullins appeared before the Board. Mr. Mullins stated the lots in this area are shallower in depth than other lots in a Residence 1B Zoning District. Mr. Mullins stated that the existing homes in this area do not meet the required setbacks. Mr. Mullins stated that several properties on this street and surrounding streets have received variances for front and rear yard setbacks. Vice Chairman Peake asked if this will be a new construction home. Mr. Mullins stated that the existing home will be demolished and a new home will be built. Chairman Sisson asked if the City had any issues with this request. Ms. Hindman stated the City has no issues.

A motion was made by Mr. Ozier and seconded by Vice Chairman Peake to approve a 6 foot front yard setback variance and a 6 foot rear yard variance at 204 Surrey Road due to the fact that the proposed front yard setback is consistent with other homes in the area. **Approved unanimously.**

**Case No. 8644**      **11821 Memorial Parkway South;** PVA perimeter landscaping; Rajinder Singh Mehta, appellant. Mr. Cummings stated the location of the property and said the request will require a 5 foot PVA perimeter landscape variance along the north and east side property lines. Mr. Cummings stated that according to Article 71.4.2 of the Zoning Ordinance, perimeter landscaping areas shall be at least 5 continuous feet in depth.

Mr. Brett Wiseman appeared before the Board. Mr. Wiseman stated that this is a newly created lot at Memorial Parkway South and Hobbs Road. Mr. Wiseman stated that the existing laundromat and hotel will be demolished and a new Mapco Fueling Station will be constructed. Mr. Wiseman stated that they are unable to provide the 5 feet of perimeter landscaping along the property line as the newly created lot line will be located in the middle of two shared drive aisles. Mr. Wiseman stated that the required landscaping to include the required plant material will be installed; however, he is just unable to install the landscaping in the required location along the north and east side property lines. Chairman Sisson asked if the City had any issues with the appellant's request. Ms. Hindman stated the City has no issues with the request.

A motion was made by Dr. Branham and seconded by Vice Chairman Peake to approve a 5 foot PVA perimeter landscape variance at 11821 Memorial Parkway South along the north and east side property lines. **Approved unanimously.**

**Case No. 8645**      **503 Drake Avenue;** PVA perimeter and interior landscaping, PVA lighting, and a reduction in the number of parking spaces; R. Kent Reazell of Huntsville Express, Inc., appellant. Mr. Cummings stated the location of the property and said this request will require a variance for PVA perimeter landscaping, PVA interior landscaping, and PVA lighting to remain as is at this location. Mr. Cummings stated that this request will also require a reduction in the number of parking spaces by 23 spaces. Mr. Cummings stated that according to Article 71.4.3 of the Zoning Ordinance, perimeter landscaping areas shall be at least 5 continuous feet in depth. Mr. Cummings stated that according to Article 71.4.3 of the Zoning Ordinance, interior landscaping is required for PVA areas that are 12,000 or more square feet. Mr. Cummings also stated that according to Article 71.6 of the Zoning Ordinance, PVA lighting is required for PVAs having 15 or more parking spaces or containing at least 5,000 square feet of

PVA. Mr. Cummings further stated that according to Article 71.1.3 of the Zoning Ordinance, automobile service and repair shops require a minimum of at least 1 space for each employee, plus 3 spaces for each auto service bay. Mr. Cummings stated that the property has 16 spaces; a minimum of 39 spaces are required.

Mr. John Davis and Mr. Carey Busbin appeared before the Board. Mr. Davis stated that the property is Express Oil Change. Mr. Davis stated that he would like to expand the rear building by constructing three additional bays. Mr. Davis stated that the property was developed prior to the current zoning regulations. Mr. Davis stated that the addition requires that the property be brought into compliance with the current zoning regulations in regards to lighting, landscaping, and the number of required parking spaces.

Mr. Davis stated that they currently have 10 parking spaces. Mr. Davis stated that they intend to add 6 more parking spaces; however, the number of spaces will be insufficient as 39 spaces are required. Mr. Davis stated that the parking spaces are located at the rear of the lot except for one handicap parking space located in front of the business. Mr. Davis said they have 8 employees that utilize the rear parking. Mr. Davis stated that the oil change portion of the business is a drive-thru service and customers do not typically exit their vehicles as they provide expeditious service. Mr. Davis stated that the 3 bays added to the rear of the building will allow for back-out exiting. Dr. Branham asked if cars that are to be serviced are ever parked in the additional parking spaces. Mr. Davis stated that at times, cars are parked in the remaining parking spaces; however, they are locked in the building after business hours.

Vice Chairman Peake inquired about the perimeter landscaping. Mr. Busbin stated that while the property will have to remove 3 crepe myrtles with the construction of the addition, they are able to provide the required plant material in other areas on the property. Chairman Sisson inquired about interior landscaping. Mr. Busbin stated that the appellant is unable to provide the required interior landscaping as that will negatively impact vehicular traffic maneuvering in the parking lot. Chairman Sisson inquired about PVA lighting. Mr. Busbin stated that the property does not meet the current regulations for PVA lighting as it was constructed prior to the current regulations. Mr. Busbin stated that although they cannot account for an adjacent property's spill-over lighting, the Wal-Mart parking lot lighting provides sufficient lighting to the Express Oil Change parking lot. Chairman Sisson inquired as to when the PVA lighting ordinance was amended. Ms. Hindman said the lighting ordinance was updated in 2006. Ms. Hindman noted that the employee parking is in the rear of the lot and the hours of operation are from 8:00 a.m. to 6:00 p.m.

A motion was made by Chairman Sisson and seconded by Vice Chairman Peake to approve a variance at 503 Drake Avenue to retain the existing PVA perimeter landscaping, PVA interior landscaping, and PVA lighting and a variance for the reduction of 23 parking spaces in the number of parking spaces required. **Approved unanimously.**

**Case No. 8646**      **3705 Pulaski Pike**; A use variance to allow a barber shop to include signage; Jeffrey Crutcher, appellant. Mr. Cummings stated the location of the property and said



this request will require a use variance to allow a barber shop to include signage in a Residence 1A Zoning District.

Mr. and Mrs. Crutcher appeared before the Board. Mr. Crutcher stated he wanted to operate a barber shop at this location. Mr. Crutcher stated that he has mailed out over 50 notification letters to surrounding property owners. Mr. Crutcher mentioned there is a salon in close proximity to this location. Mr. Cummings stated Zoning Administration checked for business licenses and variance requests in this area and the internal investigation showed there were no businesses operating in the residential area. Mr. Cummings stated he will once again check to see if in fact there is a salon operating in this area. Mr. Coffey asked Mr. Crutcher if he has operated a barber shop prior to moving to this location. Mr. Crutcher said he has been in the barbering business for over 25 years and his previous location was at 588 Plummer Road. Mr. Coffey inquired if he had to have a business license for that address. Mr. Crutcher said 588 Plummer Road is located outside City limits; therefore, a City of Huntsville business license was not required. Chairman Sisson asked if the appellant would have been required to obtain a Madison County business license for that location. Ms. Hindman stated that a Madison County business license would be required. Vice Chairman Peake asked if the appellant was currently operating a barber shop at 3705 Pulaski Pike. Mr. Crutcher stated he was not currently operating his business; however, he had installed an attached sign and a pole sign. Mr. Crutcher stated that the signs that were erected have since been covered up.

Ms. Mary Lou Harold appeared before the Board. Ms. Harold stated that she was the seller of the property. Ms. Harold stated that she and Mr. Crutcher signed a contract for the residence in November of 2015. Ms. Harold stated the appellant only spoke of using the residence for residential purposes. Ms. Harold stated that after the property was sold, it was converted into a business in January of 2016. Ms. Harold stated that her opposition is based on the fact that the home was purchased with the understanding that the property is only to be used for residential purposes and now the appellant intends to operate a business. Ms. Harold further stated that allowing a business to operate in a residential zoning district would be a detriment to the neighborhood.

Mr. Gary Michael and Ms. Lisa Williams appeared before the Board. Mr. Michael stated that there are several businesses south of this property. Chairman Sisson explained that south of this property is a Neighborhood Business C1 Zoning District. Mr. Cummings explained that when the Inspection Department contacted the sign enforcement officer in regards to the signage that was erected without proper permits, Mr. Crutcher explained he was unaware permits were needed and immediately covered the signs. Mr. Cummings stated that Mr. and Mrs. Crutcher began to pursue the variance process as soon as they were made aware of their non-compliance.

Mr. Cummings presented a letter of opposition from Whitesburg Baptist Church. Mr. Cummings stated that the church is opposed to the variance as the appellant's property has only ever been used for residential purposes and should continue to operate as such. Chairman Sisson asked for City input. Ms. Hindman stated that with use variance requests, the appellant must prove there is a physical hardship on the property which explains why the property cannot be used for its

permitted uses. Ms. Hindman stated that the City does not see a physical hardship that exists on the property. Chairman Sisson explained to the appellant that it is the responsibility of the Board to determine that there is a physical hardship on the property that deems the property unusable for residential purposes.

Mr. Michael of Whitesburg Baptist Church stated he is in opposition because of it being used as a business and the business hours. Mr. Crutcher stated the hours of operation will not be an issue as the business will not operate on Sunday. Mr. Crutcher stated that this business will not conflict with the operation of the church by any means.

Mr. Coffey asked if a barbershop can be a customary home occupation. Ms. Hindman stated customary home occupations do include salons or barbershops when located at the applicant's primary residence and is of a nature customarily incidental and subordinate to the principal use permitted on the lot. Ms. Hindman stated that the applicant would be restricted to one chair and may receive clients individually and by appointment basis only. Ms. Hindman further stated that the applicant is not permitted to use hair chemicals.

Ms. Ford stated that while she has not been in this area for some time, her remembrance of the area in question did not look like a residential area. Ms. Ford stated that may be an issue that City staff may want to look further into later in regards to rezoning a portion of this area. Ms. Ford further stated that at the corner of Stringfield Road and Pulaski Pike, there are businesses that in that area. Vice Chairman Peake asked how long the house has been vacant. Ms. Harold stated it had been vacant for 8 years.

Chairman Sisson asked if there were any further questions or concerns from Board members. Ms. Ford recommended that the variance request be continued for 30 days to give Zoning Administration time to perform another investigation on variances and businesses operating in this area. Mr. Crutcher asked Board member to continue his request for 30 days so that he may weigh other options in how to utilize this property.

A motion was made by Chairman Sisson and seconded by Mr. Coffey to continue the variance request at 3705 Pulaski Pike for 30 days. The motion did pass as Chairman Sisson, Vice Chairman Peake, Mr. Coffey, and Ms. Ford voted in favor of the motion. Dr. Branham did not vote in favor of the motion.

Chairman Sisson asked for a motion to approve the November 11, 2015, Board of Zoning Adjustment meeting minutes. A motion was made by Vice Chairman Peake and seconded by Mr. Coffey to approve the November 11, 2015, meeting minutes. **Approved unanimously.**

Chairman Sisson asked for a motion to approve the December 15, 2015, Board of Zoning Adjustment meeting minutes. A motion was made by Chairman Sisson and seconded by Mr. Coffey to approve the December 15, 2015, meeting minutes. **Approved unanimously.**

Chairman Sisson asked for a motion to approve the January 19, 2016, Board of Zoning

Adjustment meeting minutes. A motion was made by Chairman Sisson and seconded by Vice Chairman Peake to approve the January 19, 2016, meeting minutes. **Approved unanimously**

There being no further business, the meeting adjourned at 8:30 p.m.